

HANGING THE PENALTY.

The Jury Finds Wilhelm Maier Guilty of Murder as Charged,

AND AS IT FIXES NO PUNISHMENT

His Fate Must be the Gallows—The Usual Motion for a new Trial Made, and to be Argued Hereafter—Possible International Complications.

"We, the jury, find the defendant guilty as charged in the indictment."

This was the simple report of the jury in the case of Wilhelm Maier, the murderer of his wife, Marie Maier, made in the circuit court Saturday afternoon.

The court room was even more crowded at Saturday morning's session than usually heretofore. The corridors of the building and the sidewalks near were also crowded with people, who anticipated the end of the trial and a verdict. Mr. Coniff made his address for the defense, acquitting himself in a manner to win general and hearty praise from those who heard him. He reviewed the evidence with great clearness, and maintained that his client was insane, as shown both by his behavior and the testimony. In concluding his said with feeling:

"This case closes with a sad, sad spectacle! There he is alone! alone! There is no father, no mother, no sister, no brother, standing around, looking with anxious eyes upon you for a smile of encouragement or a frown indicating despair. He is here alone, with his father and mother in a distant land, not knowing that their son is here on trial for his life, and unconscious that a jury of Americans, in a land where justice reigns, is about to say whether or not he must die. Gentlemen, his death will not give back the lives of the dead. Do not go from the case with the thought haunting you that you have taken a step not warranted. Let me, in taking farewell of you, ask you to pause, and not let it go down into history that a jury of Americans took a madman for a murderer! Gentlemen, I have done; I thank you!"

MR. HOWARD CLOSING.

Prosecuting Attorney Howard, in opening his closing argument for the prosecution, remarked that this was the most solemn duty of his life. It was his duty under the law and the evidence to urge upon the jury that a verdict be brought in under which the prisoner at the bar to death.

"Gentlemen," he said, "we are all the humble instruments of the law. Myself, the counsel for the defense, the court, you gentlemen of the jury, the sheriff—each of us has a part to perform, and all of us are bound by the solemnity of an oath. This is not an agreeable task for any of us. It is not an agreeable task for me. It was not an agreeable task for Messrs. Atkinson and Coniff to stand here and look on that red-handed murderer and plead for his life. It will not be a pleasant task for the court to sentence this man. It will be a most unpleasant task for the sheriff to execute him. It will be unpleasant for you to find a verdict. But it is your duty to return a verdict, without a quibble or a question. No one of you, I know, has a shadow of a doubt of his guilt, in the manner charged in the indictment; and if you believe that, there is no doubt of your verdict."

He then started in on a clear and forcible review of the testimony, prefacing it with the remark that nobody who had heard the evidence had any doubt of the guilt of the prisoner, and he proceeded to show why he took this view. He closed by asking in the name of justice a verdict of guilty.

HIS MOTHE-IN-LAW.

After the concluding speech Mrs. Yoho, mother of the murdered woman, leaned over Maier's chair and talked briefly with him. She was very much affected by the speech of Mr. Howard, as indeed everybody in the court room seemed to be, excepting possibly Maier. Mrs. Yoho, crying hard, asked the prisoner if he did not love Marie. He said that he did, and she asked him how he could ever kill her. He said:

"Oh, I did not try to kill Marie, and I am very sorry I did kill her."

Mrs. Yoho said that she forgave him, and would pray for him. This seemed to affect Maier more than anything that had happened before. He told Mrs. Yoho she could have all his things that were in his room.

The court, instructed the jury as to the form of verdict to be indorsed on the indictment under different findings, and at their request, as they lacked still some minutes of noon, they were allowed to retire to their room and deliberate on their verdict.

When they returned to the court there was a decided sensation in the room, many people standing up to see the jury, expecting that they had arrived at a verdict. Judge Paull forbade any demonstration of approval or disapproval, and notified those in the court that any demonstration whatever would be followed by the arrest and punishment of the offender. This had the desired effect, and the crowd was orderly and quiet.

The jury had no verdict, and was adjourned for dinner.

MAIER GUILTY.

When court reassembled the jury filed out at once to its room. It was out for somewhat less than an hour, when, at about ten minutes of three a knock was heard on the door, and Judge Paull repeated his injunction of order. The jurors appeared amid a solemn hush, and the names having been read over and responded to, Clerk Mitchell asked:

"Gentlemen of the jury, have you agreed upon a verdict?"

"We have," said Foreman O'Neal.

"Prisoner at the bar, stand up! Prisoner, look upon the jury. Jurymen, look upon the prisoner. What say you, gentlemen of the jury; guilty or not guilty?"

"Guilty!"

The clerk took the verdict and read:

"We, the jury, find the defendant, Wilhelm Maier, guilty as charged in the indictment."

"M. J. O'NEAL, Foreman."

Mr. Coniff—I move to set the verdict aside.

The Court—Wait until it is recorded. The clerk wrote the verdict on the back of the indictment, and Foreman O'Neal signed it. It was again read to the jury, and the clerk asked:

"So say you all, gentlemen?"

Every man on the jury answered "yes."

Mr. Coniff then made the formal motion to set the verdict aside and grant a new trial, and the jury was dismissed until Monday at 9:30, with the thanks of the court. Maier, who had manifested no emotion, was handcuffed by the sheriff and returned to jail, and the trial was at an end.

A POSSIBLE COMPLICATION.

There was some talk when Maier was put on trial of an interest in his case by

the German government's representatives in this country. Maier was never naturalized, and is still a citizen of Germany. There was a rumor that his counsel would appeal to the German minister if the request for a stay of proceedings to secure testimony from Europe was refused, and an INTELLIGENCER reporter asked Hon. G. W. Atkinson if this was true. He said that the German minister had been thought of in that connection, but nothing had been decided on. It might be that something of that kind would be resorted to under certain contingencies, but so far the attorneys for the defense had not even inquired as to whether it could be done. There has been talk in the community, alleged to originate with people who know Maier well, of his being an anarchist in sentiment, and perhaps a member of an anarchist body, but this does not rest on a very definite foundation. It is understood that if the motion for a new trial is overruled by Judge Paull, Maier's lawyers will take the case to the supreme court of appeals.

The public opinion on the verdict is a little divided, but it is evident that a good majority of the people approve the finding of the jury. Some people maintain that Maier is insane, but it is generally admitted that this was not proven, and that under the evidence before the jurors any other verdict would have been impossible.

APPORTIONMENT OF DELEGATES

In Belmont County for the Convention at Steubenville.

The Belmont county Republican primaries for the selection of sixty-three delegates to the congressional convention at Steubenville May 24 will be held at the different polling places on Saturday, May 7, one week from next Saturday.

This date was fixed at a meeting of the Belmont county Republican executive committee held at St. Clairsville on Saturday. The meeting was very largely attended and occupied most of the afternoon.

One committeeman was represented by two different proxies, one a written one sent to one man on Friday and the other by telegraph on Saturday. Both wanted to represent the absent member, and after considerable discussion and a tie vote the chair ruled that the latter be accepted. The contest was a novel one.

After several motions and amendments and a general discussion it was decided to hold the primaries on Saturday, May 7. The only other date mentioned was the following Saturday. The hours fixed for the primaries in Martin's Ferry, Bridgeport, Bellaire and Barnesville, by wards, are from 4 to 7 o'clock p. m.

In the county precincts at Martin's Ferry, the Pulney and West Wheeling precincts the voting will be from 3 to 6 o'clock p. m.

The same hours will apply to Colerain, Flushing, Goshen, Kirkwood, Mead, Richmond, Smith, Somerset, Union, Washington, Wayne, Wheeling and York townships and the east and west precincts in Warren township.

The primaries are to be held in the same precincts as the full election of 1891, and the apportionment of delegates is according to the vote for McKinley that fall.

The apportionment and number of delegates that each precinct in the county is entitled to are as follows:

Martin's Ferry—First ward, 2; Second ward, 3; Third ward, 3; Martin's Ferry precinct, 1; Bridgeport—Pease township precinct 1, 3; Pease township precinct 2, 2; Pease township precinct 3, 1; total in Pease, 15.

Bellaire—First ward, 2; Second ward, 1; Third ward, 2; Fourth ward, precinct A, 1; Fourth ward, precinct B, 1; Fifth ward, 3; Pulney precinct, 2; West Wheeling precinct, 1; total in Pulney, 13.

Colerain—Farmington precinct, 2; Maynard, 1.

Flushing—Flushing Precinct, 2; Belmont Ridge, 1; total 3.

Goshen—Bethesda Precinct, 1; Belmont Precinct, 2; total 3.

Kirkwood—Hendrysburg Precinct, 2; Sewellsville Precinct, 1; total 3.

Mead—Businessville Precinct and Wegos (between the two) 1.

Richland—St. Clairsville Precinct 1, 1; St. Clairsville Precinct 2, 1; St. Clairsville Precinct 3, 2; Glenoe Precinct, 1; total 5.

Smith—1.

Somerset—Somerton Precinct, 1; Boston Precinct, 1; total 2.

Union—2.

Barnesville—First Ward, 2; Second Ward, 1; Third Ward, 1; Fourth Ward, 1; West Precinct, 1; East Precinct, 1; total in Warren 7.

Washington—2.

Wayne—1.

Wheeling—1.

York—1.

Total in county 63.

The apportionment is to every 100 voters, and one to every fifty voters and fraction thereof. Where this could not be successfully and satisfactorily done in a township, the precinct in the township having the largest number of votes was given an extra where there was one to spare. In Pease there was an extra and Bridgeport, having within two votes of 600, was entitled to another, and the extra was added to her largest precinct, giving it three delegates. Martin's Ferry had at the 1891 election 946 for McKinley, a difference of 54, and 354 more than Bridgeport.

As the primaries are to be held on May 7 this will give the friends of Col. Poorman and Senator Nichols only two weeks to make their canvass and on this account the fight will doubtless be interesting.

The three cities on the river front will have twenty-eight delegates, nearly enough to give Belmont county to Poorman or Nichols, should either carry the three places solidly. The old wheel horse should get every delegate in Bellaire, his home, without a contest, but there is a disposition on the part of few politicians there to try to carry the town for his young competitor.

After suffering horribly for years from scrofula in its worst form, a young son of Mr. R. L. King, 766 Franklin street, Richmond, Va., was recently cured by the use of Ayer's Sarsaparilla. No other medicine can approach this preparation as a cleanser of the blood.

A Real Estate Boom

Attracts the attention of every property holder in this city. But when Dr. Franklin Miles, the eminent Indiana specialist, claims that heart disease is curable and proves it by thousands of testimonials of wonderful cures by his New Heart Cure, it attracts the attention of the millions suffering with short breath, palpitation, irregular pulse, wind in stomach, pain in side or shoulder, smothering spells, fainting, drowsy, etc. A. F. Davis, Silver Creek, Neb., by using four bottles of Dr. Miles' New Heart Cure, was completely cured after twelve years suffering from heart disease. This new remedy is sold by Logan Drug Co. Remedy free.

GARFIELD TEA is composed wholly of harmless herbs, hence its effects can never be injurious. Why, then, take nauseous pills, oils or cathartics that constipate?

A DUEL AT LAST

Grows Out of the Borrowe-Drayton Affair—No Blood Shed, but Fox Gets a Bullet Hole in His Coat—Satisfied Honor.

BRUSSELS, April 24.—A duel was fought yesterday afternoon by Edward Fox and Hallett Alsop Borrowe, in the hollows of the sand dunes on the Belgian coast, near Newport Bains, a few miles from Ostend. It resulted in nothing worse than a triple perforation of Fox's new frock coat, but was as close a call as a man often gets.

Borrowe's bullet went into the coat about six inches below the lowest button, so close to Fox's abdomen that it scraped his trousers. Had Borrowe bettered his aim by half an inch the result would have been fatal beyond a doubt.

There were seven persons present at the encounter beside the principals. Fox was seconded by William B. Bacon, jr., of Boston, and Borrowe by Harry Van Milbank. The others present were Edwin Cleary, the actor, of Covington, Kentucky, a surgeon and Monsieur Provost, proprietor of the Hotel Provost, near which the duel took place, and two reporters.

Bacon arrived at the Hotel de l'Europe yesterday, Antwerp, at 8 o'clock Friday evening, having come from London by way of Queensboro and Flushing. Milbank landed the night before by way of Dover, Calais and Brussels, and Fox by way of Harwich. Edwin Cleary met Fox on the railroad platform as the train was leaving, and accompanied him as a matter of friendship.

Borrowe got to Brussels via Paris, and all were at the Hotel de l'Europe, in Antwerp, before 2 o'clock. None of them went to bed. Fox and Borrowe wrote letters all night, while Milbank and Bacon discussed the details of the coming duel, and Cleary made arrangements for the place of meeting with a kind-hearted Antwerp man who knew Provost, the hotel man near Ostend, and who was loth that the men should lose the opportunity of shooting at each other.

Ostend was reached at noon, and the parties drove out in carriages to Newport, where luncheon was eaten in two divisions at the Hotel Provost. As 2:30 o'clock the surgeon arrived, and then the nine men strolled out to the sand dunes, Landlord Provost carrying the surgeon's case of instruments under his coat, and affecting to be showing his guests the scenery. It was not ten minutes' walk to the end of the pretty village, and then only five minutes' stroll over the little hills until a hollow was found from which the roofs of the houses could not be seen.

The interest was now intense, as the two principals and the others watched the seconds pace off the ground.

Both were dressed, as the etiquette of dueling requires, in frock coats and top hats. Fox wore his on the train from Antwerp, but Borrowe came thence in a swagger traveling suit, wearing a round hat and bringing a valise and hatbox. He made the change at the Hotel Provost, and changed back again after the affair was over.

"Gentlemen," said Milbank, after Borrowe and Fox had been placed twelve paces apart, and the revolvers handed to them, "I shall say ready, fire, one, two, three; you may fire at any time between my words one and three. Are you ready?"

"Ready," said Borrowe. Fox did not reply.

"Ready? Ready—fire—one—" Bang went both pistols at once, before the word "two" was spoken. Neither of the men spoke a word, and the seconds advanced and took away the weapons. Both men stood in their tracks during the trying ceremony of reloading the revolvers. The only indication of nervousness on Borrowe's part was his lighting a cigarette. Fox never stirred.

When Milbank spoke the word "one" again, both men fired. As before, Borrowe stood still, but Fox lifted his hat, Borrowe returning the courtesy.

Both seconds ran up and found Fox's coat perforated, as related. Honor was declared satisfied, and Milbank said: "Gentlemen, my pistols have been in good hands."

"I wish," said Milbank to Bacon, "that we could bring about a reconciliation," but that was impossible.

"I will take back," said Borrowe to Milbank, "what I said in my letter to Fox about his being a contemptible coward."

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For Scrofula, Salt Rheum, and all other foul humors in the blood of children or adults, Hood's Sarsaparilla is an unequalled remedy. Read this:

"We are so thankful to Hood's Sarsaparilla for what it did for our little girl that we make this statement for the benefit of other anxious parents and

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Our girl was a beautiful baby, fair and plump and healthy. But when she was two years old, sores broke out behind her ears and spread rapidly over her head and forehead down to her eyes, and into her neck. We consulted one of the best physicians in Brooklyn, but nothing did her any good. The doctors said it was caused by a scrofula humor in the blood. Her head became

One Complete Sore

offensive to the smell and dreadful to look at. Her general health waned and she would lay in a large chair all day without any energy. The sores caused great itching and burning, so that at times we had to restrain her hands to prevent scratching. For 3 years

She Suffered Fearfully

with this terrible humor. Being urged to try Hood's Sarsaparilla we did so. We soon noticed that she had more life and appetite. The medicine seemed to drive out more of the humor for short time, but it soon began to subside, the itching and burning ceased, and in a few months her head became entirely clear of the sore. She is now perfectly well, and no evidence of the humor, and her skin is clear and healthy. She seems like an entirely different child, in health and general appearance, from what she was before taking

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We recommend Priestley's Henrietta Cloths, Dress and Bonnet Veilings as being the best for the consumer. They are the right shade and very serviceable. Grenadines, Organdies, Zephyr Cloths, Llama Cloths in great variety—White Goods and Embroideries in both Dainty and elaborate designs, and in all widths and prices.

In our Cloak Department we are showing and selling freely Cape Wraps and Jackets and Tourist Suits, Silk Glorie and Silk Serge Raglans, especially well adapted for traveling costumes. In our Market street room we have just opened Ladies' Cambric and Muslin Underwear, also Gauze, Silk, Lisle and Balbriggan Underwear, and in the same room will be found the best assortment of Ladies' Derby Waists and Boys' "Mother's Friend" and Star Shirt Waists we have ever had, and all having been made to order will give entire satisfaction. We invite an inspection of these superior lines. Our Glove Department was never so full. For the sale of the Celebrated P. Centemeri Kid Glove it is well known that we are the sole agent in this city. Also for the Foster, Paul & Co. Hook Glove and the Reynia Mousquetaire Suede Gloves. Centemeri five button, in colors, we sell at the New York agency price, viz: \$1 35. Full lines of Silk and Lisle Gloves and Mitts for ladies and children.

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